

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2872



Docket No. 35.G2449
Date: October 5, 2001

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: SEIJI TAKEUCHI, et al.

Application No.: 09/393,966

For: OPTICAL ELEMENT AND OPTICAL SYSTEM

Filed: September 10, 1999

Group Art Unit: 2872

Examiner: J. Treas

BOX AF
Commissioner for Patents
Washington, D.C. 20231

#10
Notice of
Appeal
Submitted
10/11/01
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OCT 11 2001
TECHNOLOGY CENTER 2800

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 5, 2001 of the Primary Examiner finally rejecting claims 1, 3-26 and 28-67.

The item(s) checked below are appropriate.

1. ☒ A Petition for a three month extension of time to respond to the final rejection, together with the \$920.00 extension fee under 37 C.F.R. §1.17, is being filed concurrently herewith.
2. ☐ A Petition for an additional month extension of time to take further action, together with the \$ extension fee under 37 C.F.R. §1.17, was filed on .
3. ☒ Fee \$320.00
☐ Fee \$155.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)
☒ Enclosed

10/10/2001 AWONDAF1 00000070 09393966

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320.00 OP

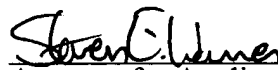
☐ Not required (fee paid in prior appeal)

☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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SEW:kjs